

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ANTHONY MICHAEL
MARCELLI,

Petitioner,

vs.

GREG COX, *et al.*,

Respondents.

3:12-cv-00211-LRH-WGC

ORDER

This action is a *pro se* petition for a writ of habeas corpus filed by Anthony Michael Marcelli, a Nevada state prisoner. First, petitioner's application to proceed in forma pauperis (ECF #8) is granted. Next, he completed a form for a writ of habeas corpus pursuant to 28 U.S.C. § 2241, however, he appears to be in state custody pursuant to a state-court judgment. Accordingly, petitioner shall complete a new petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2554, on the court-approved form. LSR 2-1 (requiring plaintiffs appearing in *pro se* to file all of their complaints and petitions on the court's approved forms).

IT IS THEREFORE ORDERED that plaintiff's application to proceed *in forma pauperis* (ECF #8) is **GRANTED**.

IT IS FURTHER ORDERED that within thirty (30) days of the date of entry of this order, petitioner shall file a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 on the court-approved form.

IT IS FURTHER ORDERED that the Clerk shall **SEND** to petitioner (1) the approved form

1 for a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 and (2) the document “Information
2 and Instructions for filing a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254.

3 **IT IS FURTHER ORDERED** that failure to comply with this order may result in dismissal of
4 this action.

5
6 DATED this 11th day of June, 2012.



7
8
9 LARRY R. HICKS
UNITED STATES DISTRICT JUDGE